# COUNCIL OF THE CITY OF SEAT PLEASANT, MARYLAND

**Ordinance No.:** 

0-19-14

Introduced by:

City Council

**Date Introduced:** 

May 6, 2019

First Reading:

May 6, 2019

Second Reading:

May 13, 2019

Date Approved:

May 13, 2019

**Date Effective:** 

June 5, 2019

## AN ORDINANCE concerning

## CHAPTER 59 – Brush, Grass and Trees

**FOR** the purpose of amending Chapter 59 – Brush, Grass and Trees of the Code of the City of Seat Pleasant to include overgrown vegetation such as weeds.

**BY** amending Chapter 59 – Brush, Grass and Trees

Section 59-2

Code of the City of Seat Pleasant (1994 Edition, as amended)

WHEREAS, pursuant to Md. Code Ann., Local Gov't § 5-202(1) and § C-501(a) of the Charter of the City of Seat Pleasant (the "Charter"), the Council of the City of Seat Pleasant (the "City Council") has the power to pass all ordinances not contrary to the Constitution and laws of Maryland or the Charter as it may deem necessary for the good government of the City; and

WHEREAS, the City Council desires to amend Chapter 59 – Brush, Grass and Trees of the Code of the City of Seat Pleasant for the purposes of clarifying the violations and penalties; and

WHEREAS, the City Council deems it in the interest of the public health, welfare and safety of the citizens of The City of Seat Pleasant, and for the good government of The City of Seat Pleasant, to enact this Ordinance and to take the actions as described herein.

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT that Section 59-2 of the Code of the City of Seat Pleasant (1994 Edition, as amended) be and it hereby is amended to read as follows:

§ 59-2. Brush and grass; height limits. GRASS, WEEDS; HEIGHT LIMITS.

#### A. THROUGH B. UNCHANGED

- C. ANY PROPERTY WHICH IS UNCLEAN, UNSANITARY, OR WHICH IS LITTERED WITH RUBBISH OR GARBAGE OR WHICH HAS AN UNCONTROLLED GROWTH OF WEEDS.
- D. "WEEDS" SHALL MEAN GRASS, WEEDS, BRUSH, AND GROWTH, EXCLUDING TREES, ORNAMENTAL SHRUBBERY. PLANTS, AND FLOWERS, GARDEN VEGETABLES PROPERLY TENDED, CULTIVATED CROPS, OR WOODLAND, NOT OTHERWISE IN VIOLATION OF THIS CODE.
- E. WEEDS. ALL PREMISES AND EXTERIOR PROPERTY SHALL BE MAINTAINED FREE FROM WEEDS OR PLANT GROWTH IN EXCESS OF TEN (10) INCHES.
- SECTION 2. AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT that the Recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.
- SECTION 3. AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT that all other ordinances or parts of ordinances or provisions of the Code of the City of Seat Pleasant (1994 Edition, as amended) in conflict with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
- SECTION 4. AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT that the title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.
- SECTION 5. AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT that, if any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the City Council that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase or portion hereof.
- SECTION 6. AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT that the City Clerk shall certify to the passage of this ordinance, and cause the same or, to the extent permitted by the Charter, a fair summary of the same, to be published as required by law, and that this Ordinance shall become effective at the expiration of twenty (20) days following approval by the Mayor or passage by the City Council over the Mayor's veto.

#### COUNCIL OF THE CITY OF SEAT PLEASANT

Charl Jones, Councilmember	Hope Love, Councilmember
Lamar Maxwell, Councilmember  Kelly Porter, Councilmember  Reveral L. Yeargin, Councilmember  ATTEST:  Dashaun N. Lanham, CMC City Clerk	Shireka McCarthy, Councilmember  Shireka McCarthy, Councilmember  Gloria L. Sistrunk, Councilmember
This Ordinance was presented to the Mayor for his approval or disapproval pursuant to § C-313 of the Charter of the City of Seat Pleasant this May n May , 2019.  Dashaun Lanham, CMC City Clerk	
In accordance with § C-313 of the CAPPROVE) (DISAPPROVE) of this Ordinan	Charter of the City of Seat Pleasant, I hereby ice this

# **EXPLANATION:**

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. ((Double Parenthesis)) indicate matter deleted from existing law. <u>Underlining</u> indicates amendments to bill.

Strike Out indicates matter stricken from bill by amendment or deleted from the law by amendment.